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Attorneys for Defendants Archer Daniels Midland Company;
ADM Milling Company; ADM Edible Bean Specialties, Inc.;
ADM Corn Processing

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

BNSF Railway Company

Plaintiff,

V.

ARCHER DANIELS MIDLAND COMPANY;
ADM MILLING COMPANY; ADM EDIBLE
BEAN SPECIALTIES, INC.; ADM CORN
PROCESSING, and Roes 1-5, inclusive

Defendants.

Case No. 1:05-cv-00135-AWI-DLB

**STIPULATION TO EXTEND
DISCOVERY DEADLINES, REQUEST
FOR FURTHER STATUS
CONFERENCE, AND ORDER
THEREON**

This case involves a variety of billing issues in a variety of locations, the settlement of which is time-consuming and complex.

In light of the significant progress the parties have made, and are continuing to make, in settlement discussions in the above matter, the parties hereby stipulate to extend certain deadlines for discovery as set forth in the attached letter dated June 22, 2005.

BNSF's responses to ADM's outstanding discovery are now due on September 28, 2005. The 30(b)(6) deposition of ADM is continued to October 5, 2005. ADM's responses to BNSF's outstanding discovery are now due on October 13, 2005.

The parties further stipulate that all discovery will be stayed until September 28, 2005.

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1 The parties request that this case be set for a further scheduling conference (telephonic) in
2 October, 2005.

3 DATED: July 12, 2005

SEYFARTH SHAW LLP

4
5 By /S/ Kurt A. Kappes

6 Kurt A. Kappes
7 Attorneys for Defendants Archer Daniels
8 Company; ADM Milling
9 Company; ADM Edible Bean Specialties,
10 Inc.; ADM Corn Processing

11 DATED: July 12, 2005

LAW OFFICES OF LESLIE G.
MCMURRAY

12 By /S/ Leslie G. McMurray

13 Leslie G. McMurray
14 Attorneys for Plaintiff BNSF RAILWAY
15 COMPANY

16 **IT IS SO ORDERED.** This case is set for a telephonic scheduling conference on
17 **October 31, 2005 at 9:00 am.**

18 Dated: July 12, 2005

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE